

REMARKS

Status of Claims:

Claims 1-27 and 30-32 remain cancelled. New claims 54-57 are added. Thus, claims 28-29 and 33-57 are present for examination.

Allowable Subject Matter:

Applicant expresses appreciation to the Examiner for the indication that claims 41-53 are allowed.

Teleconference with Examiner:

Mr. Sobaje, attorney for applicant, called Examiner Nguyen on November 8, 2006, and left a message regarding the present Office Action. In particular, Mr. Sobaje noted that the 35 U.S.C. 101 rejection in the present Office Action was issued in light of the “Examination Guidelines for Computer-Related Inventions”. Mr. Sobaje then explained that the Patent Office is now using the “Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility”, as the guidelines for subject matter eligibility, rather than the “Examination Guidelines for Computer-Related Inventions”. Mr. Sobaje requested that the Examiner withdraw the current rejection and re-analyze the claims based on the Interim Guidelines.

During a subsequent telephone conversation between Mr. Sobaje and Examiner Nguyen, the Examiner stated that she would look into the proper guidelines to be used for determining subject matter eligibility, and that she would call back with an answer.

On November 28, 2006, Examiner Nguyen called Mr. Sobaje and left a message stating that, after reviewing the 35 U.S.C. 101 rejection, she has decided to withdraw the rejection. The Examiner also stated that a formal response to the Office Action should be filed so that she could reconsider the issue of subject matter eligibility.

Claim Rejection:

Claims 28, 29, and 33-40 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

With respect to claims 28, 29, and 33-40, the rejection is respectfully traversed.

The Examiner examined the claims based on the "Examination Guidelines for Computer-Related Inventions". However, the Patent Office is now using the "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility", as the guidelines for subject matter eligibility, rather than the "Examination Guidelines for Computer-Related Inventions".

In the telephone message left by Examiner Nguyen on November 28, 2006, the Examiner stated that she has decided to withdraw the current rejection under 35 U.S.C. 101, so that she can reconsider the issue.

Therefore, the present rejection of claims 28, 29, and 33-40 under 35 U.S.C. 101 has been withdrawn by the Examiner.

Claims 28, 29, and 33-40 are believed to be in compliance with the requirements of 35 U.S.C. 101.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated,

otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date December 18, 2006

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